

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

OTSUKA PHARMACEUTICAL CO., LTD.,

Plaintiff,

V.

MYLAN INC. and MYLAN  
PHARMACEUTICALS INC.,

Defendants.

Civil Action No.: 1:14-cv-04508-JBS-KMW

Civil Action No.: 1:17-cv-00392-JBS-KMW

**STIPULATION OF DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Otsuka Pharmaceutical Co. Ltd. and Defendants Mylan Inc. and Mylan Pharmaceuticals Inc., through their undersigned counsel of record, that:

1. All claims that were brought or could be brought now or in the future, including but not limited to those in Civil Action Nos. 14-cv-04508 and 17-cv-00392, concerning patent infringement with respect to Mylan's ANDA No. 206-240 ("Mylan ANDA") and its aripiprazole drug product described therein ("Mylan ANDA Product") are hereby dismissed with prejudice, and without costs, disbursements or attorneys' fees to any party. All counterclaims and affirmative defenses in these matters, Civil Action Nos. 14-cv-04508 and 17-cv-00392, are hereby dismissed without prejudice.

Date March 2, 2018

Respectfully submitted,

s/Melissa A. Chuderewicz

Melissa A. Chuderewicz

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*Attorneys for Defendants and*


*Counterclaim-Plaintiffs Mylan Inc., and*

*Mylan Pharmaceuticals Inc.*

## ORDER

### SO ORDERED:

This 2nd day of March, 2018



JEROME B. SIMANDLE

UNITED STATES DISTRICT JUDGE